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[TRACT NO. 1.]

HENRY CLAY'S DUELS.

"THOU SHALT NOT KILL."

Dialogue between a Deacon and his Minister on the subject of the Presidential Election.

DEACON—I come to advise with you as to the course which, as a Christian, I ought to pursue in the next presidential election.

MINISTER—Well, what are your difficulties?

DEA.—I am a true Whig, and I hope a true Christian. In 1828 I was much inclined to vote for General Jackson on account of the great services he had rendered the country, but you advised me that, as a true Christian, I could not do so, because he had set at defiance the laws of God and man by fighting a Duel. The Whigs now present us a candidate for the Presidency who has fought two duels, and been an accomplice in a third. What am I to do?

MIN.—I have heard that Clay was a duelist, but have never inquired into the particulars.

DEA.—I have; for I thought it my duty to do so when called on to put him at the head of the nation to see the laws faithfully executed. Shall I give you the particulars?

MIN.—Go on.

DEA.—Here is a "Biography of Henry Clay" written by his particular friend, George D. Prentice. At page 30 we are told he accepted a challenge from Col. Da-

viess; but it was adjusted. At page 45 is an account of his first duel. Here are the words of the Biographer: viz.

"Mr. Clay brought a resolution before the house [the Kentucky House of Representatives] that each member, for the purpose of encouraging the industry of the country, should clothe himself in garments of domestic manufacture. This resolution called into exercise all Mr. Marshall's talents of vituperation. He denounced it as the project of a demagogue, and applied a variety of epithets to its author which no parliamentary rules could justify. Mr. Clay's language in reply was probably of a harsh character, and the quarrel proceeded from one stage to another, till according to the laws of honor, which every Kentuckian of that day was taught to reverence, no alternative remained to Mr. Clay, and he was required to challenge his antagonist. The challenge was accepted. The parties met, and the first shot was exchanged without other effect than a slight wound to Mr. Marshall. On the second or third trial, Mr. Marshall's ball gave Mr. Clay a slight flesh wound in the leg, and the seconds now interfered and prevented a continuance of the combat."

This account is given by a friend and apologist. But it shows that Mr. Clay was the challenger and that twice or thrice, he deliberately attempted to take away the life of his fellow man.

MIN.—But does not the Historian say, Mr. Clay has repented of this early crime?

DEA.—He says “we have no doubt, that Mr. Clay erred in this affair with Mr. Marshall, and *it is said* that he himself looks back to the incident with disapprobation and regret.” If there had been any *sincere* repentance it would have shown itself in his subsequent conduct. So far from that, some seventeen years afterwards, he publicly proclaimed his determination to commit the same crime if he could find an antagonist, and the next year did commit it!

MIN.—Let us have the particulars?

DEA.—Prior to the election of President by the House of Representatives in 1823, it was charged in a letter published in Philadelphia, purporting to be written by a member of the House, that Mr. Clay had bargained to make Mr. Adams President on condition of receiving preferment at his hands, whereupon Mr. Clay published a card in the newspapers which concluded as follows: viz.

“I pronounce the member, whoever he may be, a BASE and INFAMOUS CALUMNIATOR, A DASTARD AND A LIAR; and if he dare unveil himself and avow his name, I will hold him responsible, as I here admit myself to be, to all the laws which govern and regulate the conduct of men of honor.

H. CLAY.”

Mr. Clay was then Speaker of the House of Representatives, and it was from that high station that he thus hurled defiance at the laws of God and man, shocking all the moral and religious feelings of this great nation.

MIN.—But no Duel grew out of that, I believe.

DEA.—No; but it was not in consequence of any retraction or repentance on the part of Mr. Clay, as the events of the next year amply demonstrate.

MIN.—Go on.

DEA.—Mr. Adams was elected President by the aid of Mr. Clay’s vote and influence, and appointed Mr. Clay Secretary of State. In a speech in the Senate at the next session of Congress, John Randolph characterised this coalition of known political enemies, as the union of the “*Eastern Puritan with the Western Blackleg.*” Mr. Clay immediately sent him a challenge. Mr. Clay’s Biographer has not thought proper, in the text of his Work, to give us any account of this Duel; but in the newspapers of the day, I find the following official account of the meeting: viz.

“On Saturday, the 8th April, at half past four o’clock, a meeting took place between Mr. Clay and Mr. Randolph, upon a call of the former, in consequence of certain expressions used by the latter in a recent debate in the Senate, which Mr. Clay considered offensive, and applied *personally* to him.

“Mr. Randolph was attended by Col. Tannell, of Georgia, and Major Hamilton of South Carolina. Mr. Clay by Gen. Jessup of the Army, and Mr. Johnson of Louisiana.

“The parties met on the ground—exchanged salutations, and took their stations.

“The Pistol of Mr. Randolph, which was suspended by his side, went off. It was perceived to be an accident, and so pronounced by Mr. Clay; immediately however, upon the report of the Pistol, Mr. R. turned to Col. T. and said: “I told you so.” Col. T. then turning to Gen. J. observed, “Sir, the fault is mine—Mr. R. protested against the use of the hair trigger—it was at my express instance the hair was sprung.” Another pistol was handed to Mr. R.—The parties resumed their stations and exchanged shots without effect.

"Immediately after the report of the pistols, while Col. T. and Gen. J. were reloading, Col. Benton of Mo. rode up, and united with Mr. Johnson and Col. Hamilton in an effort to stop the affair, which proved ineffectual. The parties again took their stations, and the word being given, Mr. Clay raised his pistol and fired, and the ball passed through Mr. R.'s clothes. Mr. R. reserved his fire—holding his pistol perpendicularly up—said, "I do not fire at you, Mr. Clay," and discharged his pistol in the air. He added, "it was not my intention to have fired at you at all; the "unfortunate circumstance of my pistol "going off accidentally, changed my determination." At this instant, Col. Benton came up and said "Yes, Mr. R. told me "so expressly, 8 days ago." The parties simultaneously approached towards each other, both with extended hands—Mr. R. remarking, "Sir, I give you my hand," which was received by Mr. Clay; and the affair thus happily closed."

MIN.—But look here; Mr. Clay's Biographer in his Appendix, page 292, notices this duel, and says Mr. Clay "regrets this incident." He gives an extract from Mr. Clay's address to his fellow citizens soon after the duel, in which he says—"I owe it to the community to say, that whatever heretofore I may have done, or, by inevitable circumstances, may be forced to do, no man holds in deeper abhorrence than I do, the pernicious practice of duelling. Condemned as it must be, by the judgment and philosophy, to say nothing of the religion, of every thinking man, it is an affair of feeling, about which we cannot, although we should, reason. The true corrective will be found, when all shall unite, as all ought to unite, in its unqualified proscription."

DEA.—I had observed that passage and reflected upon it. I will endeavor to give the views it suggests.

1. To kill in a Duel **is MURDER** by the laws of God and man.

2. According to Mr. Clay's reasoning, murder of this sort is to be excused because it is "*an affair of feeling.*" Otherwise he is without excuse.

3. All malicious murder is "*an affair of feeling,*" and is excusable on the same ground.

4. How can all unite "in its unqualified proscription," when men like Mr. Clay, whom society recognizes as its leaders, apologize for the crime and persist in committing it?

5. So far from promising reformation in this address, Mr. Clay, avows that he "*may be forced*" to fight again. What is his "*deeper abhorrence*" worth with this avowal on his lips?

6. Is it not the surest way to arrive at that "unqualified proscription" which Mr. Clay says is "the true corrective," for "*all*" to "*unite in the unqualified proscription*" from the high offices of the country, of all who are guilty of this awful crime?

MIN.—I believe the blood of no murdered man is upon Mr. Clay's head.

DEA.—I am not certain of that. But be that as it may, it is no apology for Mr. Clay that he did not succeed in his murderous design. The reason why the blood of Randolph does not rest on his head, is thus lightly given by his Biographer, Pages 299-300: viz. "In due time the parties fired and luckily for both of them, or at least for Mr. Clay, *Mr. Randolph's life was saved by his gown.* The unseemly garment constituted such a vast circumference, that the locality of "the thin and swarthy Senator" was at least, a matter of very vague conjecture. Mr. C. might as well have fired into the outspread top of an oak, in the hope of hitting a bird he supposed to be snugly perched somewhere among the branches. *His ball hit the centre of the visible object,*

but Randolph was not there—and of course the shot did no harm and no good.”

This shows that if the blood of Randolph does not rest on Mr. Clay’s head, it is not for lack of malice or of deadly aim.

MIN.—But you say you are not sure that the blood of the murdered does not rest on Mr. Clay’s head: What did you refer to?

DEA.—To the murder of Mr. Cilley in 1836.

MIN.—Why, Mr. Clay had nothing to do with that.

DEA.—You are greatly mistaken: He was Mr. Graves’ adviser from the beginning until he went out to fight, and was clearly an accomplice in the murder.

MIN.—What authority have you for that?

DEA.—The authority of Mr. Clay’s *particular friends* and of *Mr. Clay himself*. You may remember, that Mr. Graves of Kentucky was the bearer of a Challenge from James Watson Webb to Mr. Cilley for words spoken in Debate. Mr. Cilley verbally declined accepting the challenge for reasons which were entirely satisfactory to Mr. Graves. But upon consultation with Mr. Clay, it was determined to require Mr. Cilley to put his reasons in writing, and to state among other things that he considered James Watson Webb a gentleman. This he refused to do, because he could not in conscience, and *for not admitting that to be true which he knew to be false*, Mr. Graves challenged and killed him. And this he did under the advice of *Henry Clay* as I shall show.

Here is a letter from Mr. Clay to Henry A. Wise dated Feb. 28, 1842, in which Mr. Clay says:—

“I did not know that Mr. Graves bore a note from Col. Webb to Mr. Cilley until after the delivery of the note and after Mr. Graves received from him a verbal answer. In that stage of the transaction, for the first time, Mr. Graves communicated the matter

to me, and I congratulated him on the fact of that answer being perfectly satisfactory and such *as to absolve him from all obligation to pursue the affair further.*”—“On conversing together, we both agreed that, to guard against future misunderstanding and misrepresentation, it was desirable that Mr. Cilley should put in writing what he had verbally answered.”

Upon this advice Mr. Graves required a written statement from Mr. Cilley containing a concession that Webb was a gentleman; and not being able to obtain it, he returned to Mr. Clay for further counsel. In reference to what then passed, Mr. Clay says in the same letter:—

“When on the day preceding the Duel, Mr. Graves in company with you, came to my room, I was informed that he had determined to challenge Mr. Cilley, and he showed me the challenge which he had drawn. Upon reading it, I thought it closed the door to all accomodation, stated that objection and *sketched a draught in my own handwriting* which would admit of an amicable adjustment.”

This draught in Mr. Clay’s own handwriting, was copied by Mr. Graves and sent to Mr. Cilley. It was in the following words: viz.

WASHINGTON City, Feb. 23. 1838.

Hon. J. Cilley;

As you have declined accepting a communication which I bore to you from Col. Webb, and as by your note of yesterday, you have refused to decline on grounds which would exonerate me from all responsibility growing out of this affair, I am left no other alternative but to ask that satisfaction which is recognised among gentlemen. My friend, Hon. Henry A. Wise, is authorized by me to make the arrangements suitable to the occasion.

Your obedient servant,

W. J. GRAVES.

From a statement published by Messrs. Wise and Jones (the seconds) after the duel, it appears that Mr. Jones stated to Mr

Wise (when Mr. Cilley accepted the challenge,) that he "was authorized by Mr. Cilley to say, that in declining to receive the note from Mr. Graves, purporting to be from Col. Webb, he meant no disrespect to Mr. Graves, because he entertained for him then, as he does now, the highest respect and the most kind feelings; but that he declined to receive the note because he chose not to be drawn into any controversy with Col. Webb."

Yet, after this second disavowal of any disrespect to Mr. Graves, was this duel pushed, under the advice of Mr. Clay, to a fatal termination.

But this was not the last of Mr. Clay's agency. He was duly informed of the acceptance of the challenge written by him, and of the arrangement to fight with the deadly rifle. In the same letter he says:

"My belief is, that I never saw the terms according to which the combat was to be conducted, prior to the duel, although I think *they were stated and explained to me, probably by you,*" (Mr. Wise.)

That he was in possession of all the particulars, is proved by the statements of Charles King and Reverdy Johnson, Esqrs. published by Mr. Clay himself, in which the former says, Mr. Clay showed them the papers, but the latter says: "At neither interview were we shown the written challenge and acceptance or the terms of the duel, *but had them explained to us only by Mr. Clay.*"

By Mr. Clay's own evidence, therefore, it appears, that HE advised the written correspondence which led to the duel; that HE drew the challenge; and that HE knew the terms on which they were to fight.

MIN.—Well, when he knew that the parties had arranged to commit *mutual murder*, did he not invoke the power of the law to prevent it?

DEA.—So far from that, he *directly refused to do so!* In the letter already referred to, Mr. Clay says:—"Being the friend of Mr. Graves, I could not invoke the authority of the police to prevent the duel."

His friends, Messrs. Charles King and Reverdy Johnson, concur in stating, that on their urgent appeal to Mr. Clay to aid in arresting the duel, Mr. Clay replied in substance, "that we saw how he was situated. Mr. Graves had consulted him. He ought not, he said, to have been consulted; but having been, the honor of his friend who was the challenger, might be compromised by any advance on his (Mr. Clay's) part to arrest the progress of the affair."

These gentlemen found Mr. Graves with Mr. Clay on that occasion, it then being past six o'clock in the evening, and *early the next morning the awful murder was consummated almost in sight of the Capitol!*

Mr. Clay says, he did not expect the duel to be fought the next day, because Mr. Graves had not at that time procured a rifle; but Mr. Clay's colleague from Kentucky in the Senate, and one of his particular friends in the House, borrowed one *about twelve o'clock at night* with which the fatal deed was consummated in the morning.

Mr. Wise who was Mr. Graves' second, has always declared, that the Duel was caused by Mr. Clay's advice which differed from his own; and Mr. Clay says in his letter:—

"I admit without any reservation whatever, that on all the points of the controversy respecting which he (Graves) asked my opinion, I gave it to him freely, according to the best of my judgment."

It thus appears;—

That Mr. Clay helped to concert this murder: And

That when the plan was all complete, he refused to aid in arresting it.

Does not the blood of Cilley rest on Mr. Clay's head?

MIN.—But Mr. Graves was Mr. Clay's friend, and he says he was bound to give his advice when asked.

DEA.—That may be; but can any man lawfully advise his friend to commit murder? Can any man, knowing that a murder was in contemplation, acquit himself of his duty to God and man without taking efficient steps to prevent it? With Mr. Clay, this was not "an affair of feeling" like his Duel with Randolph. He at least could "reason" in this case.

MIN.—Is your case fully stated?

DEA.—No; I have one point more. The Constitution of the United States says:

"For any speech or debate in either house, they [the members of Congress] shall not be questioned in any other place."

When Henry Clay was appointed Secretary of State in 1825, he took the following oath prescribed by law, in pursuance of the constitution: viz.

"I, HENRY CLAY, do solemnly swear that I will support the Constitution of the United States.
SO HELP ME GOD."

Yet, the words for which he challenged and attempted to kill John Randolph were spoken in debate in the Senate of the United States. If Mr Clay had been a private citizen, this challenge would have been a violation of the constitution; being Secretary of State, and under oath to support that instrument, it was not only a violation of the constitution, but of his SWORN COVENANT WITH HIS GOD.

How can I, as a Christian, or good citizen, support for President a man who not only violates the most sacred laws, human and divine, but sets at naught his SOLEMN OATHS? What will become

of our laws, our constitution or our country, when a man who is capable of becoming so excited by "*an affair of feeling*," that he *cannot reason though he should*, shall hold in his hand the Executive Power of this great Republic? Graves, the principal in this tragedy, is now spreading out his *bloody hands* to the people of Kentucky, imploring them to vote for his principal! Is this fit company for Christians?

MINISTER.—I confess you have made out a stronger case against Mr. Clay than I supposed possible.

He has twice shown himself willing to *commit murder in duels* and *twice attempted it*.

• He has aided and counselled another in *pursuing unto Death*, a fellow man, who had repeatedly disavowed all personal disrespect or unkindness towards his pursuer, simply because he *refused to admit what he believed to be untrue*. For this cause only, a happy wife was made a weeping widow, and little children fatherless.

He has violated at the same time, the *constitution of his country* and *his oath before his God*.

I have now to repeat the advice given you in 1828; for in some respects, Mr. Clay's crimes exceed those of Gen. Jackson.

We of the Whig Party profess to be the *friends of religion, law and order*. If true to this profession, we cannot vote for men who set at defiance *man's laws*, and *God's laws*, and rush to the commission of crime *over the constitution and their oaths*.

Nay, I am not sure that we ought not, if our Whig leaders persist in pressing on us *such* a candidate, to take the most effectual way to prevent his election *by voting for his opponent*.

MEN OF HONOR.

It is but a few days since two young men of this District, named COCHRAN and MAY, after having acted as seconds in "an affair of honor" for two other young men, which was "*honorably*" or *dishonorably* adjusted, fell to loggerheads between themselves. We scarcely know what the real point of *life-and-death* difference was; but we believe Mr. Cochran expressed some doubt of Mr. May's *courage*, or *honor*, or something of that sort, in connection with the affair in which they had recently been engaged. Being, as Mr. Clay says, "an affair of feeling" with Mr. May, who "could not reason, though he should," he followed the example of the Whig candidate for the Presidency, and invited Mr. Cochran to *go out and be murdered*. Mr. Cochran agreed to go on condition that he should have a chance to *murder Mr. May*, both to be armed with rifles as in the *honorable* affair of Graves and Cilley.

They took their stands in the approved form of *honorable* murder, with their *honorable* accomplices at hand, and surgeons in attendance. The rifles cracked and Cochran fell. May's ball struck him near the top of the forehead, shattering the skull and injuring the brain. Two or three day's suffering ushered him into eternity—we hope not without repentance.

Thus perished a promising youth not 20 years of age.

The "*man of honor*" who assisted Mr. May as second in this affair, was one R. W. Pooler, jr., who left the District for Baltimore. The Baltimore Sun gives the following account of his honorable career in that city, viz:

ROBBERY.—A young man who has lately figured unenviably conspicuous before the public, named R. W. Pooler, jr., was arrested yesterday morning on a charge of felony, by officers Hays, Zell and Ridgely, at Barnum's City Hotel, where he had been boarding several days

past. The facts as stated before Justice Gray are as follows: On Saturday evening last Mr John S. Lutz, to whom Pooler, had introduced himself, invited him to share his room with him, it being a double-bedded one, and on retiring at night left his pocket book on the table, containing in one department, three \$50 notes, and in another \$119 of smaller denominations. In the morning he rose first and went down stairs; on returning to the room he had occasion to look into his pocket book and discovered that the three \$50 notes were gone, and \$50 of the smaller money. He immediately informed Pooler of the fact, who expressed well feigned surprise at so remarkable and unpleasant an occurrence. Lutz then rung a bell for a servant and sent for Mr. Z. Barnum, who instantly took measures for a thorough investigation of the affair. The room, beds, furniture, &c., were all duly examined, when it was deemed advisable to search Pooler, and accordingly he was desired to strip; he did so, and as each article of clothing was taken off, it was carefully examined, Pooler earnestly denying any knowledge of the money.—Being stripped to his drawers, and linen, he asked to be allowed to go down to the yard, but was refused, and directed to strip further; he remonstrated about the cold, when a pair of drawers belonging to Mr. Lutz was pulled out of a lot of clothing just returned from the wash, and was told to pull off his own and put these on; with a good deal of fumbling he did so, and then got into Mr. Lutz' bed; here he was observed to be working about under the clothes, and presently he kicked the drawers out at the bottom of the bed, and then got out himself, and sat down on a trunk by the side of these drawers. Mr. Lutz then went and examined the bed thinking that Pooler had left the money in it, but while doing so, Mr. Barnum saw Pooler pushing the drawers under the bedstead, and immediately drew them out; on examining them, the whole of the money was found in one of the legs, the elastic "*terminations*," having closed upon the notes and prevented them from falling out upon the floor. With the recovery of the money, it seems the party wronged was satisfied, but the facts having come to the knowledge of the officers above named, they collected the evidence yes-

terday morning and on it made the arrest of Pooler, who was forthwith committed for trial.

This young man, as alluded to above, was lately before the public in the responsible character of the second of May, in the late fatal duel at Washington, when young Cochran fell by the hands of the latter. Since that time he has displayed himself in this city, and it appears has enjoyed access to the families of many of our highly respectable citizens; and notwithstanding the stain of blood upon his skirts, has been admitted to companionship with their daughters, even as a gallant in the streets. When will our fair countrywomen learn to spurn from their society the bully and the adventurer, and shun the painful reminiscence which so often attends promiscuous association with the flippant braggart and the impudent pretender.

It will be observed by a police notice in another place, that Pooler was under security for his appearance, to answer a charge of assault upon Mr. Wm. Hickman, of a most unprovoked and unmanly character, committed on Sunday night, at Barnum's. It is worthy of notice, as illustrative of his notions of gentility, that

on his arrest yesterday morning for felony, something being said of the affray of the previous evening, he asked the officer who this Mr. Hickman was. He was informed that he was a young man much respected, and the son of a book-binder in this city. "A book-binder!" exclaimed Pooler, "only a book-binder? why, I really thought he was a gentleman, or I should not have quarrelled with him."

REMARKS.

The "*honor*" of this young man appears to be unimpaired, at least in his own estimation. Perhaps he is right. In the moral code, it is probably quite as "*honorable*" to *steal* as to *murder*. But we apprehend he will find some *practical* difference. Many a man who would *make Henry Clay President*, though an *accomplice* in the murder of one man and a *principal* in two attempts to murder two others, will doom *R. W. Pooler to the Penitentiary for stealing two hundred dollars!*

PRICE OF THIS TRACT.—*Two cents*, single; *one dollar* for 100 copies; *five dollars* for 600 copies.

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